In the High Court of Judicature at Madras

Dated: 20.01.2007

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice N. PAUL VASANTHAKUMAR

Writ Petition No.2022 of 2007
and M.P.No.1 of 2007

O.D.Sundaram
S/o Dhamodhara Gounder,
Member, Arulmigu Sri Vadivulla
Mangai Samethara Sri
Vargeeswararswamy Temple,
Laksharchanai Committee and
Trust Committee, Olappalayam,
Modakkurichi, Erode Taluk,
Erode District. .. Petitioner

..Vs..

1.The District Collector,
Erode District,
Erode.

2.The Divisional Engineer,
Tamil Nadu Pollution Control Board,
Erode.

3.The Executive Officer,
Modakkurichi Town Panchayat,
Modakkurichi, Erode Taluk
and District.

4.V.Chinnusamy .. Respondents

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Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus to forbear the respondents from constructing drainage as per resolution No.93 of 2006 dated 28.11.2006 from Anandampalayam Road to Vadivulla Mangai Thirumana Mandapam which discharge the drainage water to the temple tank, situates adjacent to the said Thirumana Mandapam in R.S.No.167 of Modakurichi village.

For Petitioner : Mr.S.Doraisamy
For Respondents 1 & 3 : Mr.Raja Kalifullah, Government Pleader

For 2nd respondent : Mr.R.Ramanlal

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ORDER

(Order of the Court was made by P.SATHASIVAM,J.)

The petitioner, who is the Member of Arulmigu Sri Vadivulla Mangai Samethara Sri Vargeeswararswamy Temple, has filed the above writ petition praying to issue a Writ of Mandamus forbearing the respondents from constructing drainage as per resolution No.93 of 2006 dated 28.11.2006 from Anandampalayam Road to Vadivulla Mangai Thirumana Mandapam which discharge the drainage water to the temple tank, situates adjacent to the said Thirumana Mandapam in R.S.No.167 of Modakurichi village.

2. On direction, Mr.Raja Kalifullah, learned Government Pleader takes notice for respondents 1 and 3 and Mr.R.Ramanlal for the second respondent.

3. It is not in dispute that even on 17.01.2007, the petitioner has made a representation to various authorities including the first respondent-District Collector, Erode, complaining about the drainage construction work from Anandampalayam Road to Vadivulla Mangai Thirumana Mandapam. It is also brought to our notice that the said representation is still pending with the first respondent.

4. In view of the same, we are of the view that ends of justice would be met by directing the first respondent-District Collector, Erode, to consider and dispose of the representation of the petitioner dated 17.01.2007, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs. Consequently, M.P.No.1 of 2007 is closed.

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Sd/
Asst.Registrar

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Sub Asst.Registrar

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To

1.The District Collector,
Erode District,
Erode.

2.The Divisional Engineer,
Tamil Nadu Pollution Control Board,
Erode.

3.The Executive Officer,
Modakkurichi Town Panchayat,
Modakkurichi, Erode Taluk
and District.

1 CC TO MR.S. DORAISAMY, ADVOCATE SR 3679

1 CC TO MR.R. RAMANLAL, ADVOCAE SR 4122

1 CC TO G.P, SR 3666

W.P No.2022 of 2007

20.01.2007

KG(CO)

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